

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DONNA RHODE,
on behalf of Kiana Looper,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of the Social
Security Administration,

Defendant.

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Case No. 3:07cv464

District Judge Thomas M. Rose

Magistrate Judge Sharon L. Ovington

DECISION AND ORDER

This case is before the Court upon Plaintiff's Motion For Award Of Attorney Fees Pursuant To The Equal Access To Justice Act (the EAJA), 28 U.S.C. §2412(d) (Doc. #15). The Commissioner has not filed a Memorandum in Opposition or otherwise opposed Plaintiff's Motion.

Plaintiff seeks an award of attorney fees and costs under the EAJA in the total amount of \$4,530.52 for 26.50 hours of attorney work in federal court. In the absence of opposition by the Commissioner, Plaintiff's Motion and supporting documents establish that she is entitled to an award of attorney fees and costs under the EAJA in the total amount she seeks.

Accordingly, the Court hereby **ORDERS** that:

1. Plaintiff's Motion For Award Of Attorney Fees Pursuant To The Equal Access To Justice Act, 28 U.S.C. §2412(d) (Doc. #15) is GRANTED;
2. The Commissioner shall pay Plaintiff's attorney fees pursuant to the EAJA in the total amount of \$4,530.52; and
3. The case remains terminated on the docket of this Court.

October 6, 2008

***S/THOMAS M. ROSE**

Thomas M. Rose
United States District Judge